



CONSENT/LAND SEVERANCE

TOWN OF AMHERSTBURG
Economic and Community Development Department
Planning Services Division
3295 Meloche Road
Amherstburg, Ontario, N9V 2Y8
519-736-5408

At any time when an application for Consent is being considered, the applicant should approach the Secretary Treasurer of the Committee of Adjustment of the Municipality to engage in a pre-consultation meeting to explain the proposed application being contemplated. This formal discussion should provide the applicant with procedural direction as to processing the application as well as determining planning policies under which the application can be considered for approval. At this time, the applicant may also wish to obtain a copy of the Consent/Land Severance Application Form.

A completed application must be submitted approximately 4 weeks before the scheduled hearing date. The meeting schedule, including application deadlines, is available on our website, www.amherstburg.ca/committeeofadjustment.

SUBMISSION REQUIREMENTS

1. One (1) original Consent/Land Severance application form – completed and signed.

Please note that the application must be signed in front of a Commissioner and if signed by a Corporation, must have the Corporate Seal affixed. If signed by an agent, a written authorization, attached, from the owner must also be submitted. ALL REGISTERED OWNERS MUST SIGN.

2. Application fee of **\$1516.00** along with an ERCA development review fee of **\$300.00** (total of \$1816.00 payable to the Town of Amherstburg) must accompany your completed application.

3. Each copy of the application must be accompanied by a sketch, drawn to scale, showing:

- a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- b) the distance between the subject land and the nearest landmark such as a bridge or railway crossing;
- c) the boundaries and dimensions of the parcel of land that is the subject of the application, the part that is to be severed, the part that is to be retained, and the location of all land previously severed;

- d) the approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples of features include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks/tile fields;
 - e) the current uses on land that is adjacent to the subject land;
 - f) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
 - g) if access to the subject land is by water only, the location of the parking and docking facilities to be used;
 - h) the location and nature of any easement affecting the subject land.
4. Applications may be delivered or mailed to Planning Services, 3295 Meloche Road, Amherstburg, ON N9V 2Y8.

NOTICE OF HEARING AND POSTING CARD

A Notice of the Hearing will be mailed by prepaid First Class Mail to the applicant and to every owner of land within 60 metres of the subject site not less than fourteen (14) days prior to the date the application is to be heard.

A sign is to be placed on the land subject to the application at least fourteen (14) days prior to the hearing date and is to remain in place until the hearing has been held. The sign is to be placed at the centre of the subject parcel, facing the public road and as close as possible to the property line.

HEARING AND DECISION

The Applicant or an agent must attend the hearing at the designated time and location and speak on behalf of the application answering any questions, which the members of the Committee of Adjustment may have. A written decision will be forwarded to the applicant within ten (10) days of the Hearing Decision. Any conditions imposed by the Committee form part of the Decision and must be met in a manner acceptable to the Committee before final certification can be issued. Within twenty (20) days after the giving of the Notice of decision, the applicant may appeal the decision to the Ontario Land Tribunal (OLT) by filing the OLT Notice of Appeal form and the necessary prescribed fee with the Clerk of the municipality.



**TOWN OF AMHERSTBURG
CONSENT/LAND SEVERANCE APPLICATION**

CHECKLIST OF SUBMISSION REQUIREMENTS

Applications should be submitted at least 4 weeks prior to a scheduled Committee of Adjustment meeting. Please consult with staff to determine the appropriate timelines.

Please check the appropriate box and attach all necessary material to this form:

Attached

<input type="checkbox"/>	Required Fee Each application must be accompanied by the application fee in the form of a cheque in the amount of \$1,816.00 payable to the Town of Amherstburg. A \$300 ERCA planning review fee is included in the application fee and is paid at the time of application. If applying in person payment may be made by cash or debit as well.
<input type="checkbox"/>	One (1) copy of this application- completed and signed.
<input type="checkbox"/>	One (1) copy of the required sketch.
<input type="checkbox"/>	One (1) copy of the Authorization if required.

The completed application form and supporting documentation may be returned to the Planning Services Division, 3295 Meloche Road, Amherstburg, Ontario, N9V 2Y8.

If the subject lands are located within 120 m of a Provincially Significant Wetland, Significant Woodland, Area of Natural or Scientific Interest or Significant Species at Risk Habitat, the applicant may be required to complete a natural heritage review. The initial pre-consultation cost of the natural heritage review is \$565 and should additional work, such as an Environmental Impact Assessment, be required, the applicant will be responsible for all costs associated with review. Costs associated with the review will be invoiced to the applicant through the Town of Amherstburg. The applicant will be responsible for finding their own qualified biologist to complete the Environmental Impact Assessment, if required, and will be responsible for all costs associated with the assessment.



TOWN OF AMHERSTBURG
Application for
CONSENT/LAND SEVERANCE

OFFICE USE ONLY
Application No.:
Date of Pre-consultation Meeting:
Date Application Received:
Date Application Deemed Complete:
Staff Person Present:
Municipal Fee Received:
ERCA Fee Received:

1. CONTACT INFORMATION	
Applicant/Owner Information Municipal Freedom of Information and Protection of Privacy Act – Personal Information on this form is collected under authority of the Planning Act and will be used to process this application.	
Name of Registered Owner:	
Mailing Address:	
Postal Code:	Phone:
Cell:	Email:
Agent Authorized by Owner to file the Application (if applicable):	
Name:	
Mailing Address:	
Postal Code:	Phone:
Cell:	Email:
Which of the above is the Primary Contact? <input type="checkbox"/> Applicant <input type="checkbox"/> Agent	
If known, if there are any holders of any mortgages, charges or other encumbrances on the subject land, please provide details as follows:	
Name: _____	
Address: _____	

2. LOCATION AND DESCRIPTION OF SUBJECT LANDS	
Assessment Roll No.:	
Municipal Address:	
Concession:	Lot:
Registered Plan No.:	Lot(s):
Reference Plan No.:	Part(s):

3. CURRENT OFFICIAL PLAN DESIGNATION AND ZONING OF SUBJECT LANDS:	
Official Plan Designation:	Zoning:

4. CURRENT SIZE OF SUBJECT PARCEL:
Frontage:
Depth:
Area:

5. ARE THERE ANY EASEMENTS OR RESTRICTIVE COVENANTS AFFECTING THE SUBJECT LAND?			
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
If yes, please provide a description of each easement or covenant and its effect.			

6. TYPE AND PURPOSE OF TRANSACTION (please check all applicable)

Conveyance

Agricultural Area

<input type="checkbox"/>	farm split	<input type="checkbox"/>	lot addition
<input type="checkbox"/>	surplus dwelling	<input type="checkbox"/>	technical severance

Other Areas

<input type="checkbox"/>	creation of new lot	<input type="checkbox"/>	lot addition
<input type="checkbox"/>	technical severance		

Other

<input type="checkbox"/>	mortgage or charge	<input type="checkbox"/>	partial discharge of mortgage
<input type="checkbox"/>	easement/right-of-way	<input type="checkbox"/>	correction of title
<input type="checkbox"/>	other (specify) _____		

7. DESCRIPTION AND USE OF LAND INTENDED TO BE <u>SEVERED</u>:					
Frontage:					
Depth:					
Area:					
Existing Use:					
Proposed Use:					
Number and use of buildings and structures on the land intended to be severed					
Existing:					
Proposed:					
Is there an existing access bridge on this parcel?					
<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No		
Is there a water service connection on this parcel?					
<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No		
Is there a sanitary sewer connection on this parcel?					
<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No		
Access to proposed severed lot					
<input type="checkbox"/>	Municipal Road	<input type="checkbox"/>	County Road	<input type="checkbox"/>	Provincial Highway
<input type="checkbox"/>	Private	<input type="checkbox"/>	Water		
If access to the subject land is by water only, indicate the parking and docking facilities to be used and the approximate distance between these facilities and the nearest public road.					

8. NUMBER OF NEW LOTS PROPOSED (NOT INCLUDING RETAINED LOT):**9. DESCRIPTION AND USE OF LAND INTENDED TO BE RETAINED:**

Frontage:

Depth:

Area:

Existing Use:

Proposed Use:

Number and use of buildings and structures on the land intended to be retained

Existing:

Proposed:

Is there an existing access bridge on this parcel?

Yes (locate on sketch)

No

Is there a water service connection on this parcel?

Yes (locate on sketch)

No

Is there a sanitary sewer connection on this parcel?

Yes (locate on sketch)

No

Access to proposed retained lot

Municipal Road

County Road

Provincial Highway

Private

Water

If access to the subject land is by water only, indicate the parking and docking facilities to be used and the approximate distance between these facilities and the nearest public road.

10. TYPE OF WATER SUPPLY AND SANITARY SEWAGE DISPOSAL (please check all applicable)			
Type		Severed	Retained
Water	Municipally owned and operated piped water supply	<input type="checkbox"/>	<input type="checkbox"/>
	Well	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify) _____	<input type="checkbox"/>	<input type="checkbox"/>
Sanitary	Municipally owned and operated sanitary sewers	<input type="checkbox"/>	<input type="checkbox"/>
	Septic tank	<input type="checkbox"/>	<input type="checkbox"/>
	Other(specify)_____	<input type="checkbox"/>	<input type="checkbox"/>
When will water supply and sewage disposal services be available?			

11. PROPERTY HISTORY			
Have there been any previous severances of land from this holding?			
<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No
If yes, please indicate previous severances on the required sketch and supply the following information for each lot severed:			
Grantee's name			
Relationship (if any) to the owner:			
Use of parcel:			
Date parcel created:			

Has the parcel ever been the subject of an application for approval of a plan of subdivision under Section 51 or a consent under Section 53 of the Act, as amended, or its predecessors?

<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No
--------------------------	------------------------	--------------------------	----

If yes, please indicate the file number and the decision:

12. CURRENT APPLICATIONS

Please indicate whether the property is the subject of an application for one of the following:

<input type="checkbox"/>	Official plan or official plan amendment approval
<input type="checkbox"/>	Zoning by-law amendment
<input type="checkbox"/>	Minister's zoning order amendment
<input type="checkbox"/>	Minor variance
<input type="checkbox"/>	Consent or approval of a plan of subdivision

If known, indicate the file number and status of the foregoing application(s)

Is the owner, solicitor or agent applying for additional consents on this holding simultaneously with this application, or considering applying for additional consents in the future?

<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No
--------------------------	------------------------	--------------------------	----

Is the owner, solicitor or agent applying for any minor variance or permission to extend or enlarge under Section 45 of the Planning Act, R.S.O. 1990, as amended, in relation to any land that is the subject of this application?

<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No
--------------------------	------------------------	--------------------------	----

12. CURRENT APPLICATIONS CONTINUED			
Is the requested application consistent with policy statements issued under subsection 3(1) of the Planning Act? (ie. 2020 Provincial Policy Statement)			
<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No
Comments: _____ _____			
Is the subject land within an area of land designated under any provincial plan or plans?			
<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No
If yes, does the requested application conform to or does not conflict with the provincial plan or plans? _____			
Is the land associated with any natural environment area or adjacent to or abutting lands that are designated as a Wetland or Natural Environment?			
<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No
If yes, an Environmental Impact Assessment is required, for approval by the Town and Essex Region Conservation Authority, to be completed in accordance with the County of Essex Guidelines for Environmental Impact Assessments or when Council considers it appropriate, additional requirements may be made to the Guidelines in accordance with more detailed locally adopted terms of reference for an Environmental Impact Assessment.			
Does the proposed project include the addition of permanent above ground fuel storage?			
<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No

Is the land within 600 m of property that is designated as Extractive Industrial?			
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
If yes, as per Section 3.3.3 of the Official Plan a noise and vibration study is required for approval by the Town, to be completed			

13. CONSENT OF OWNER	
<p>The owner must also complete the following or a similar authorization attached to the application.</p> <p style="text-align: center;">Consent of Owner(s) to the Use and Disclosure of Personal Information and to Allow Site Visits to be Conducted</p> <p>In accordance with the provisions of the Planning Act, it is the policy of the Town of Amherstburg Planning Services Department to provide the public access to all development applications and supporting documentation.</p> <p>In submitting this development application and supporting documentation, I/we _____ the owner(s)/authorized applicant, hereby acknowledge the above-noted policy and provide my/out consent, in accordance with the provisions of the <i>Municipal Freedom of Information and Protection of Privacy Act</i>, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.</p>	
_____ Date	_____ Signature
_____ Date	_____ Signature

14. AFFIDAVIT (This affidavit must be signed in the presence of a Commissioner)

I/We, _____ of the

_____ of _____ in the

_____ of _____ solemnly declare that all of the information and the statements contained in this application are true, and I/we, make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED before me at the _____ of _____

in the _____ of _____ this _____

day of _____, 20_____.

Date

Signature of Owner or Authorized Agent

Date

Signature of Commissioner

15. AUTHORIZATION

If the applicant is not the owner(s) of the land that is subject of this application, the owner(s) must complete the following or a similar authorization attached to the consent application.

To: Town of Amherstburg

Description and Location of Subject Lands: _____

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize

_____ of _____

_____ to :

- (1) make an application on my/our behalf to the Committee of Adjustment of the Town of Amherstburg;
- (2) appear on my behalf at any hearings(s) of the application; and
- (3) provide any information or material required by the Committee relevant to the application.
- (4) submit this application on my/our behalf and, for the purposes of the Freedom of Information and Protection of Privacy Act, to provide any of my/our personal information that will be included in this application or collected during the process of the application

DATED at the _____ of _____

in the _____ of _____ this _____

day of _____, 20_____.

Witness

Signature of Owner

Witness

Signature of Owner

Witness

Signature of Owner

16. POSTING COMMITTEE OF ADJUSTMENT ADVISORY SIGN

This will confirm the requirements of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

A sign will be made available to you upon submission of your application(s). You are directed to post the sign in a prominent location that will enable the public to observe the sign.

The location of the sign will depend on the lot and location of structures on it. The sign should be placed so as to be legible from the roadway in order that the public see the sign and make note of the telephone number should they wish to make inquiries. The Zoning By-law prohibits the signs from being located in any corner lot sightlines. In most cases, please post the sign on a stake as you would a real estate sign. For commercial or industrial buildings it may be appropriate to post the sign on the front wall of the building at its entrance. Please contact the undersigned if you have any queries on the sign location.

Each sign must remain posted beginning 14 days prior to the Hearing, until the day following the decision of the Committee of Adjustment. Please complete the form below indicating your agreement to post the sign(s) as required. This form must be submitted with the application so that it may be placed on file as evidence that you have met the Committee's requirements. Failure to post the sign as required will result in deferral of the application.

Chris Aspila, MCIP RPP
Manager of Planning Services

Property Address: _____

Application Number(s): _____

I understand that each sign must be posted at least 14 days before the Hearing, and will remain posted and be replaced if necessary, until the day following the Decision.

I acknowledge that the Secretary-Treasurer has confirmed these requirements with me.

Signature (Owner/Authorized Agent)

Date